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October 21, 2011

**VIA ELECTRONIC FILING**

Hon. David E. Peebles  
U.S. Magistrate Judge  
United States District Court  
Northern District of New York  
Federal Building and U.S. Courthouse  
100 South Clinton Street  
P.O. Box 7345  
Syracuse, NY 13261-7345

Re: *Edwards v. Syracuse University*  
*Civil Action No. 5:10-cv-663 (DNH/DEP)*

Dear Judge Peebles:

We write to respectfully request an extension of the current discovery deadline of October 24, 2011, for the limited purpose of resolving a discovery dispute with Plaintiff's employer, the Jack Miller Center ("JMC").

By way of explanation, we previously served a third-party subpoena on the JMC, seeking deposition testimony under Rule 30(b)(6) of the Federal Rules of Civil Procedure and certain documents relevant to the current litigation. However, third-party counsel for JMC has to this point refused to produce any witnesses in response to our subpoena and has not adequately responded to our document requests.

While we are working to expeditiously resolve this dispute amicably, we may ultimately need to bring a motion to compel in the Eastern District of Pennsylvania. In either event, we expect this dispute will not be resolved, and consequently the Rule 30(b)(6) deposition will not be scheduled, before the current discovery deadline of October 24, 2011. Although we cannot precisely forecast when this dispute will be resolved, it is our hope that it will not take longer than 30 days from the current discovery deadline. Certainly, we will attempt to resolve the matter sooner.

Opposing counsel has consented to our request for a 30-day extension of the discovery deadline for the limited purpose of completing the JMC discovery at issue. Although Defendant is cognizant of Local Rule 16.2 (providing for the filing of motions to compel up to 14 days after the close of discovery), we nonetheless wanted to bring this issue to

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Your Honor's attention, as such a motion dealing with the JMC, if necessary, would be filed in another jurisdiction.

Thank you for your consideration of this request. As always, please do not hesitate to contact me if you have any questions or if I may be of any assistance.

Very truly yours,

BOND, SCHOENECK & KING, PLLC

/s/ Andrew D. Bobrek

ADB/cy

cc: Daniel Slifkin (Via Electronic Filing)